

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

ROBERT P. BROWN,
Petitioner

v.

STATE OF MAINE,
Respondent

Civil No. 03-045-P-C

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge having filed with the Court on April 28, 2003, with copies to the *pro se* Petitioner and to counsel, her Recommended Decision on 28 U.S.C. § 2254 Motion (Docket Item No. 7) in the above-entitled matter; and the time for filing objections thereto having expired without any objections having been filed; *see* 28 U.S.C. § 636(b)(1); and this Court having reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; and having made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and this Court concurring with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and having determined that no further proceeding is necessary; it is **ORDERED** as follows:

- (1) The Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**;
- (2) Respondent State of Maine's Motion to Summarily Dismiss Petition is hereby **GRANTED**;
- (3) Petitioner's 28 U.S.C. § 2254 Petition is hereby summarily **DISMISSED**.

GENE CARTER
Senior United States District Judge

Dated at Portland, Maine this 20th day of May, 2003.
[Counsel list follows]

Plaintiff

ROBERT P BROWN

represented by **ROBERT P BROWN**
112 SCHOOL ST
KENNEBUNKPORT, ME 04046
PRO SE

V.

Defendant

**MAINE DEPARTMENT OF
CORRECTIONS**

represented by **DONALD W. MACOMBER**
ASSISTANT ATTORNEY
GENERAL
STATE HOUSE STATION 6
AUGUSTA, ME 04333-0006
626-8800
LEAD ATTORNEY
ATTORNEY TO BE NOTICED